

From: Cralis
To: Microsoft ATR
Date: 11/17/01 12:32am
Subject: Microsoft Settlement is unfair to the consumer

Dear sirs,

I would like to respectfully say that I believe the settlement between the DOJ and MS is VERY unfair. It will do very little to protect competition from monopolistic practices by microsoft, it will do nothing to help the consumer and open source software, and it has NO penalty for past monopolistic conduct on Microsoft's behalf.

First, while I highly commend the DOJ arguing for the option to have a version of windows shipped without certain extra programs...I feel the DOJ has neglected to realize that MS's vast potential for control with Windows XP. Many programs are built well into XP and are designed to control the user in a manner that benefits MS. They will control what hardware we can use, what software we can use (the registered hardware/software only), what we can see, hear, and do. While I sympathize with the DOJ's view that this will benefit the DOJ in regards to pirated software and obscenities such as child pornography, NO COMPANY DESERVES THIS AMOUNT OF CONTROL. .I say it very strongly because I believe that this level of control goes against our constitutional right of choice in the pursuit of life, liberty (LIBERTY), and happiness. This is a big gamble on MS's part, if they succeed they will essentially OWN the entire Internet, all electronic transfers, and the electronic life of all individuals who want to do either.

Second, whether or not any competitor gains access to windows code makes little difference. What matters is that MS takes file and communications protocols and makes them trade secrets, then restricts the ability for anyone to use them only to those people who will not compete with MS. This destroys open source, free software, and the ability for a new company to get into the market in an environment where the majority of computers rely upon MS protocols. The FIRST thing that should be done is to forbid MS from making its protocols secret and keep them from making agreements with other companies for secret protocols, and instead require that all protocols in use by MS become open to ALL of the PUBLIC. This will keep them from destroying any more smaller competitors who are just trying to bring something new to market, and will likely make it a more friendly environment where individuals who were afraid to compete before will feel less threatened and less likely to lose their entire life's goals, dreams, and life savings trying to make a product MS will either want to swallow up or totally destroy.

Third, MS has repeatedly demonstrated that they believe they are above the law. They continue to do and flaunt their monopolistic practices despite the court battle, and frankly are saying "hey the DOJ can't touch

us". Their monopolistic practices are WELL documented, yet the DOJ's settlement has no penalty for their past crimes!! Lo, should all criminals be so lucky! At the very least MS should have some major billion dollar penalty assessed against them, if not have some major oversight and payments. If the DOJ does not feel it deserves the reparation payments, feel free to pay them to all of MS's consumers. We wont argue.

I would like to point out a few things as well:

- * Judge Jackson said that Microsoft would raise the prices of it's next version of Windows because it can do so and nobody would have a choice to pay it. Please note that Windows XP is double the cost of Windows 2000. He also said that they would continue to add new programs and hijack protocols for their own benefit, and they have done that as well. I have at least 6 utilities such as Zone Alarm (a personal firewall) that will not operate under Windows XP) WHY? They are spitting in the face of the DOJ and saying "so what? do something about it.", while at the same time cutting the legs out from under competition such as Zone Alarm, who have done it right and refuse to sell to Microsoft.

- * Windows XP only allows you to use it 5 times on different hardware configurations. They also argue that they should be allowed to restrict us to putting their software on only one program. WHY? Should we also be restricted to only using cars in the same state we bought them, or only being allowed to read books for only a year before destroying them or giving them back? The SOFTWARE INDUSTRY is NO DIFFERENT from other industry in respects to buyer's rights. Why let them cheat us out of that because they want to be different? The legal history on buyer's rights is VERY clear. Please dont change them.

- * Microsoft has not "innovated" anything new for as long as I can remember. They buy other markets out, they steal, and they hijack. They take something that already exists, change it, and call it their own. They are "software terrorists". In fact I can think of a number of technological and/or software advancements that were squashed by Microsoft BEFORE THEY EVEN GOT STARTED because they would have been competition.

- * Microsoft is NOTORIOUS for their software being buggy and full of security flaws and holes. Yet we are supposed to allow them access to all of our personal information and financial information? This is a HUGE national meltdown just waiting to happen!

- * Microsoft is moving foward at an extremely rapid pace. Their .Net project is designed for two purposes: 1. to control the internet and get part of any micropayments or online transactions, and 2. to make a worldwide network where you pay for the temporary use of a program (whether it be an operating system, application, utility, or game matters not) and bypass the entire issue of "buying a program". Imagine that. That would be like all of the car companies getting together and deciding they will no

longer sell cars, but ONLY rent them.

* Microsoft MUST be under some form of oversight and have NO SAY in who is in that committee. THEY are the criminals! Why should they get a chance to make it easier on themselves? That would be like prison full of criminals getting to decide who the prison warden will be.

Dont let Microsoft fool you! Please consider that Microsoft's plans for the future involve controlling each and every person who has a computer and wants to go online. Stop Microsoft before you can no longer do so. For the consumer's sake, for the sake of competition and free enterprise, and for the sake of technological advancements in the future.

Thank you for your time.

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